

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1, 12, 18 and 29 have been amended. Claims 35-38 have been added. Thus, claims 1-38 remain pending.

Claims 1, 2, 5, 9-13, 15, 18-19, 22, 26-29, 31 and 34 stand rejected under 35 U.S.C. 102(e) as being anticipated by Albal et al. This rejection is respectfully traversed.

The Examiner contends that Albal et al. teach "the subscriber can instruct the communication node to play a pre-recorded message or announcement..., corresponding to the matched, stored calling party number information for playback as the message prompt to the calling party". Applicant disagrees. Albal et al. disclose at paragraph [0031] that "the subscriber may instruct the communication node to play a pre-recorded message or announcement". Furthermore, at paragraph [0033], Albal et al. states that "the node notifies the caller that the subscriber is unavailable and/or routes the call to voicemail". Thus, Albal et al. merely disclose the conventional voicemail messaging system employing a generic voice message to all callers if the subscriber does not want to answer a call or is unavailable. There is no teaching in Albal et al. that the pre-recorded message corresponds to the matched stored called party information as claimed. In Albal et al., once the subscriber has the caller's information, there is no further correspondence of this information, and thus there is no correspondence with a personalized voice message.

With regard to the claimed "personalized" voice message, the broadest reasonable interpretation cannot be inconsistent with the specification, which describes

the personalized voice message at page 11 as a message different from a generic message. Hence, "claims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them their 'broadest reasonable interpretation.'" MPEP § 2111.01 at 2100-48 (Rev. 3, Aug. 2005) (quoting *In re Marosi*, 710 F.2d 799, 802, 218 USPQ 289, 292 (Fed. Cir. 1983)(emphasis in original)).

To reinforce the above distinctions, claims 1, 12, 18 and 29 have been amended. In particular, the independent claims as amended recite that the voice message is a personalized, non generic voice message. As noted above, the voice message of Albal et al is generic. Thus, the rejection should be withdrawn.

Claims 4, 14, 20 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Albal et al. in view of Ng. Claims 3, 6-8, 16, 17, 21, 23-25, 32 and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Albal et al. in view of Ng and further in view of Bobo, II. These claims depend from independent claims and are considered to be allowable for the reasons advanced above and, for the additional reason that the added subject matter thereof is not taught or suggested by the prior art of record.

New claims 35-38 have been added and recite that the personalized voice message contains information specifically for matched calling party. Since the message in Albal et al. is generic, it does not contain information specifically for the matched calling party. Support for this amendment can be found at page 11 lines 6-11 of the specification where an example of implementing the claimed invention identifies Joe as a preferred calling party to be matched with a personalized voice message. Thus, the personalized voice message can be, "Hello, Joe, I just left. Meet me at the

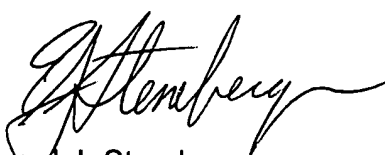
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golf course." No such personalized voice message having information specifically for the matched calling party is taught by Albal et al. Thus, claims 35-38 are considered to be allowable over the prior art of record.

All rejections having been address, it is respectfully submitted that this application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

By



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